

Article 6: Residential Land Use and Development Requirements

Section 601: Statement of Intent

- (A) The intent of Article 6 is to develop certain land use and development requirements for the residential uses within West Nantmeal Township. The provisions of Article 6 are intended to supplement and not replace the zoning district regulations, which are further specified under Article 4 of this Zoning Ordinance.
- (B) The regulations established under Article 6 shall be subject to the interpretation of the West Nantmeal Township Zoning Officer. Should a dispute arise concerning the interpretation of these supplementary regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

Section 602 Single Family Detached Residential Dwellings

- (A) Single family detached residential units, as defined under Article 2 of this Zoning Ordinance, are permitted within West Nantmeal Township as follows:
 - (1) By right within the R-1 Zoning District, which shall be subject to the lot averaging design provisions specified under Section 606 of this Zoning Ordinance.
 - (2) By right within the R-2 Zoning District, provided that the parent tract of the property being developed contains less than twenty (20) gross acres, which shall be subject to the conventional subdivision and land development requirements specified by West Nantmeal Township.
 - (3) By conditional use within the R-2 Zoning District, provided that the parent tract of the property being developed contains twenty (20) gross acres or more, which shall be subject to the residential cluster design requirements for subdivision and land development specified under Section 607 of this Zoning Ordinance.
 - (4) By right within the R-3 Zoning District, which shall be subject to the conventional subdivision and land development requirements specified by West Nantmeal Township.
 - (5) By conditional use within the R-3 Zoning District, provided that the parent tract of the property being developed contains twenty (20) gross acres or more, which shall be subject to the residential cluster design requirements for subdivision and land development specified under Section 608 of this Zoning Ordinance.
 - (6) By special exception within the C-1 and I-1 Zoning Districts, which shall be subject to the conventional subdivision and land development requirements specified by West Nantmeal Township.
- (B) All single family detached dwelling units shall be located on a conforming lot, which comply with the minimum and maximum dimensional requirements as well as the utility provisions that are specified by the zoning district on which the single family detached residential unit is located or the appropriate development requirements specified by this Zoning Ordinance.
- (C) The supplemental matrix charts contained within Article 4 of this Zoning Ordinance provide the basic utility requirements (sewer and water facilities) for each permitted use by its assigned zoning district. The following specific provisions shall apply to utility provisions for single-family detached dwelling units:
 - (1) Single-family detached dwellings shall be serviced by public, private or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and/or the Pennsylvania Department of Environmental Protection.

- (2) Single family detached dwellings shall be serviced by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and/or the Pennsylvania Department of Environmental Protection.
- (3) All other utility provisions serving single-family detached dwellings shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

Section 603: Single Family Semi-Detached Residential Dwellings

- (A) Single family semi-detached residential units, as defined under Article 2 of this Zoning Ordinance, are permitted by right within the R-3 Zoning District.
- (B) All single family semi-detached dwelling units shall be located on individually approved residential lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the zoning district on which the single family semi-detached residential unit is located.
- (C) The supplemental matrix charts contained within Article 4 of this Zoning Ordinance provide the basic utility requirements (sewer and water facilities) for each permitted use by its assigned zoning district. The following specific provisions shall apply to utility provisions for single-family semi-detached dwelling units:
 - (1) Single-family semi-detached dwellings shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (2) Single-family semi-detached dwellings shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (3) All other utility provisions serving single-family detached dwellings shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
- (D) Each single family semi-detached unit shall be considered as a principal use and shall comply with the individual dimensional and utility requirements for a semi-detached unit. Each residential lot shall be accurately described by bearings and distances, which shall be recorded as a separate deed.
- (E) The common wall separating the single family semi-detached units shall be considered the common lot line, as extended from the front property line to the rear property line. The side yard setback requirement for all accessory detached buildings, structures and/or uses shall be measured at least five (5) feet from the common lot line.

Section 604: Townhouse Uses and Developments

- (A) Townhouses, as defined under Article 2 of this Zoning Ordinance, are permitted by conditional use within the R-3 and C-1 Zoning Districts.
- (B) Townhouse units and developments shall comply with the following general requirements:
 - (1) Townhouse developments located within the R-3 Zoning District shall contain a minimum of ten (10) contiguous acres, which shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties.

- (2) Townhouse developments located within the C-1 Zoning District shall contain a minimum of five (5) contiguous acres, which shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties.
 - (3) The Board of Supervisors may consider parcels of land to be contiguous that are physically separated by existing public roads, utility easements or rights-of way, streams and/or other natural features, provided that the applicant demonstrates that the townhouse development can be strategically planned and designed as a townhouse community.
 - (4) The permitted uses contained within the development shall be serviced by public sanitary sewage disposal facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (5) The permitted uses contained within the development shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (6) All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
 - (7) The maximum permitted residential density (townhouse units per gross acre) for townhouse unit developments shall not exceed six (6) townhouse units per gross acre.
 - (8) A minimum of fifty (50) percent of the gross area of the townhouse unit development shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with all provisions of this Zoning Ordinance
- (C) The townhouse units and development shall be designed to comply with the following minimum and maximum dimensional requirements:
- (1) The minimum width of a townhouse unit shall be twenty (20) feet per unit.
 - (2) The minimum building setback lines should be established twenty (20) feet from any street right-of-way line and forty (40) feet from all other external property lines, which are not owned by the applicant in pre-development conditions.
 - (3) The number of townhouse units, attached in a common row, shall not exceed eight (8) attached townhouse units. The front building lines or facades of any two adjoining townhouse units shall be offset or staggered by a minimum of two (2) feet.
 - (4) The maximum height of a townhouse unit shall be thirty-five (35) feet or three (3) floors.
 - (5) No more than thirty (30) percent of the total area of the development shall be covered by buildings.
 - (6) No more than fifty (50) percent of the total area of the development shall be covered by impervious surfaces.
- (D) The minimum building separation from other groups of townhouse units within the development shall be as follows:

- (1) The separation shall be forty (40) feet when the townhouse unit groups are side to side.
 - (2) The separation shall be forty (40) when the townhouse unit groups are side to rear.
 - (3) The separation shall be sixty (60) feet when the townhouse unit groups are rear to rear.
- (E) The designated points of vehicular ingress and egress to the development shall be designed in accordance with the provisions established within the Subdivision and Land Development Ordinance.
- (F) The internal access drives and common off-street parking areas and access drives shall be designed considering the provisions of Article 9 of this Zoning Ordinance as well as the following requirements:
- (1) The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver.
 - (2) Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development. Common parking areas shall be a minimum of ten (10) feet from all street rights-of-way and exterior lot lines of the development.
 - (3) The entrance and exit ways to parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.
 - (4) Parking areas shall be designed to prevent through traffic to other parking areas. No more than sixty (60) off-street parking spaces shall be accommodated in any one (1) parking area. All common parking areas shall be sufficiently screened and landscaped in accordance with the standards specified under Section 914 of this Zoning Ordinance.
 - (5) The points of ingress and egress from common parking areas within the development shall be located a minimum of one hundred (100) feet from the point of a street intersection, as measured from the nearest street curb lines.
- (G) Exterior storage areas for trash and rubbish shall be completely screened from view on three (3) sides by fencing and/or landscaping. All trash and rubbish shall be contained in vermin-proof containers.
- (H) The design of the land or water areas designated as common open space shall comply with the following standards and specifications:
- (1) A minimum of fifty (50) percent of the gross area of the townhouse unit development shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space.
 - (2) The area designated as common open space shall comply with the following specifications:
 - (a) No more than twenty-five (25) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas classified as Category 2 Slopes.
 - (b) No more than twenty-five (25) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.
 - (c) The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land.

- (d) Pedestrian pathways less than fifty (50) feet in width may be included as part of the common open space calculations provided that the land area occupied by the pedestrian pathways does not account for more than ten (10) percent of the required common open space and that the pedestrian pathways provide a linkage to other areas designated as common open space.
 - (e) There shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required open space.
- (3) As part of the conditional use approval, the Board of Supervisors may modify the standards and specifications for the common open space as contained in Section 604.H of this Zoning Ordinance.
 - (4) For all common open spaces, satisfactory written agreements shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, which shall be recorded with the approved plan.
 - (5) The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
 - (a) Retain the ownership, management and maintenance responsibilities.
 - (b) Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
 - (c) Dedicate the land encompassing the common open space to West Nantmeal Township, who shall have the option to accept or refuse the land offered for dedication; or
 - (d) Dedicate the land encompassing the common open space to a conservation management group or non-profit organization that has the capacities and resources to adequately maintain the common open space.
 - (6) All options involving the ownership, management and maintenance of land and water areas designated as common open space shall be subject to the review and approval of West Nantmeal Township.
 - (7) The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by West Nantmeal Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.
- (I) In addition to the townhouse units, the development may contain the following non-residential uses, provided they are considered as part of the conditional use application:
- (1) Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the development and which are owned and operated by the developer or homeowners association.
 - (2) Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the townhouse unit development.
 - (3) Active and passive recreation uses conducted on the areas designated as common open space.

Section 605: Apartment Uses and Developments

- (A) Apartments, as defined under Article 2 of this Zoning Ordinance, are permitted by conditional use within the R-3 and C-1 Zoning Districts.
- (B) Apartment units and developments shall be designed in accordance with the following general requirements:
- (1) Apartments located within the R-3 Zoning District shall contain a minimum of ten (10) contiguous acres, which shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties.
 - (2) Apartments located within the C-1 Zoning District shall contain a minimum of five (5) contiguous acres, which shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties.
 - (3) The Board of Supervisors may consider parcels of land to be contiguous that are physically separated by existing public roads, utility easements or rights-of way, streams and/or other natural features, provided that the applicant demonstrates that the apartment units can be strategically planned and designed as a apartment complex and community.
 - (4) The permitted uses contained within the development shall be serviced by public sanitary sewage disposal facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (5) The permitted uses contained within the development shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (6) All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
 - (7) The maximum permitted residential density (apartment units per gross acre) for apartment unit developments shall be twelve (12) apartment units per gross acre.
 - (8) A minimum of sixty (60) percent of the gross area of the apartment unit development shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with all provisions of this Zoning Ordinance.
- (C) The apartments shall be designed to comply with the following minimum and maximum dimensional requirements:
- (1) The total number of individual apartment units contained within a single building shall not exceed thirty (30) apartment units.
 - (2) The building setback line should be established fifty (50) feet from the right-of-way line or sixty (60) feet from the curb line.
 - (3) The minimum building separation from other groups of apartment units within the development shall be as follows:
 - (a) The separation shall be sixty (60) feet when the apartment unit groups are side to side.

- (b) The separation shall be eighty (80) feet when the apartment unit groups are side to rear.
 - (c) The separation shall be eighty (80) feet when the apartment unit groups are rear to rear.
 - (4) The maximum depth and/or length of any building occupying individual apartment units shall not exceed one hundred and fifty (150) feet.
 - (5) The maximum height of the building shall be forty-five (45) feet or four (4) floors.
 - (6) All apartments shall be located at least sixty (60) feet from any property line or property, which is not owned by the applicant in pre-development conditions.
 - (7) No more than twenty-five (25) percent of the total area of the development shall be covered by buildings.
 - (8) No more than forty (40) percent of the total area of the development shall be covered by impervious surfaces.
- (D) The designated points of vehicular ingress and egress to the development shall be designed in accordance with the provisions established within the Subdivision and Land Development Ordinance.
- (E) The access drives and common off-street parking areas shall be designed considering the provisions of Article 9 of this Zoning Ordinance as well as the following requirements:
- (1) The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver.
 - (2) Common parking areas and access drives shall be located a minimum of twenty (20) feet from all buildings and structures within the development. Common parking areas shall be a minimum of ten (10) feet from all street rights-of-way and exterior lot lines of the development.
 - (3) The entrance and exit ways to parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.
 - (4) Parking areas shall be designed to prevent through traffic to other parking areas. No more than sixty (60) off-street parking spaces shall be accommodated in any one (1) parking area. All common parking areas shall be sufficiently screened and landscaped in accordance with the standards that are specified by West Nantmeal Township.
 - (5) Entrances to and exits from common parking areas shall be located a minimum of one hundred (100) feet from the point of intersection of the nearest street curb lines.
- (F) Exterior storage areas for trash and rubbish shall be enclosed and screened from view on three (3) sides by fencing and/or landscaping. All trash and rubbish shall be contained in vermin-proof containers.
- (G) The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:
- (1) A minimum of sixty (60) percent of the gross area of the development tract shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space.
 - (2) The area designated as common open space shall comply with the following specifications:
 - (a) No more than twenty-five (25) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas classified as Category 2 Slopes.

- (b) No more than twenty-five (25) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.
 - (c) The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land.
 - (d) Pedestrian pathways less than fifty (50) feet in width may be included as part of the common open space calculations provided that the land area occupied by the pedestrian pathways does not account for more than ten (10) percent of the required common open space and that the pedestrian pathways provide a linkage to other areas designated as common open space.
 - (e) There shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required open space.
- (3) As part of the conditional use approval, the Board of Supervisors may modify the standards and specifications for the common open space as contained in Section 605.G of this Zoning Ordinance.
 - (4) For all common open spaces, satisfactory written agreements shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, which shall be recorded with the approved plan.
 - (5) The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
 - (a) Retain the ownership, management and maintenance responsibilities.
 - (b) Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
 - (c) Dedicate the land encompassing the common open space to West Nantmeal Township, who shall have the option to accept or refuse the land offered for dedication; or
 - (d) Dedicate the land encompassing the common open space to a conservation management group or non-profit organization that has the capacities and resources to adequately maintain the common open space.
 - (6) All options involving the ownership, management and maintenance of land and water areas designated as common open space shall be subject to the review and approval of West Nantmeal Township.
 - (7) The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by West Nantmeal Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.
- (H) In addition to the proposed apartment units, the development may contain the following non-residential uses, provided they are considered as part of the special exception application:
- (1) Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the apartment unit development and which are owned and operated by the developer or homeowners association.
 - (2) Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the apartment unit development.
 - (3) Active and passive recreation uses conducted on the areas designated as common open space.

Section 606: Residential Lot Averaging Design for the R-1 Zoning District

- (A) The purpose of this section of the Zoning Ordinance is to provide design standards for residential development within the R-1 Zoning District. The objectives of these provisions are outlined as follows:
 - (1) To maintain and continue agriculture as a viable business and use within West Nantmeal Township.
 - (2) To preserve prime agricultural soils, resources and land areas.
 - (3) To encourage innovative residential land development that will conserve open space.
 - (4) To preserve scenic vistas and viewsheds.
 - (5) To endorse smart growth techniques and conservation design practices.
 - (6) To implement the recommendations concerning natural features, development, utilities, transportation, housing, and land use, as outlined within the West Nantmeal Township Comprehensive Plan.
- (B) The proposed subdivision of parcels of land, which contain less than twenty (20) gross acres, as of the effective date of this Zoning Ordinance, shall comply with the provisions of Section 606.1 of this Zoning Ordinance.
- (C) The proposed subdivision of parcels of land, which contain twenty (20) gross acres to thirty (30) gross acres, as of the effective date of this Zoning Ordinance, shall comply with the provisions of Section 606.2 of this Zoning Ordinance.
- (D) The proposed subdivision of parcels of land, which contain more than thirty (30) gross acres, as of the effective date of this Zoning Ordinance, shall comply with the provisions of Section 606.3 of this Zoning Ordinance.
- (E) All proposed subdivision activity within the R-1 Zoning District shall comply with the general provisions specified under Section 606.4 of this Zoning Ordinance.

Section 606.1: Residential Lot Averaging with less than 20 gross acres

- (A) The proposed subdivision of a parcel of land, which contains less than twenty (20) gross acres, as of the effective date of this Zoning Ordinance, shall be permitted by right within the R-1 Zoning District provided that the site is developed with lots containing single-family detached residential uses in accordance with the lot averaging provisions specified under Sections 606.1 and 606.4 of this Zoning Ordinance.
- (B) The maximum number of lots containing single-family detached dwellings permitted for subdivision from the original parcel shall be determined by the following formula:

$A / 2 = N$: “A” represents the total gross acreage of the parcel to be subdivided, as it existed on the effective date of this Zoning Ordinance, excluding: public and private rights-of-way and easements; one hundred (100) percent of the area occupied by wetlands; and one hundred (100) percent of the area occupied by the 100-year floodplain.

“N” represents the maximum number of residential lots, which will be permitted including all residential lots existing at the time of filing for the subdivision plan. Fractional values of “N” shall be rounded down to the next whole number. This formula shall not preclude the creation of fewer lots by an increase in lot size.

The maximum number of residential lots containing single-family detached dwellings specified by this formula shall not be guaranteed or entitled to any landowner in order to achieve the

maximum yield. The total number of permitted residential lots could be reduced in order to comply with other provisions for subdivision and land development.

- (C) The individual lot size for all new single family detached lots shall comply with the following dimensional requirements:
- (1) The minimum lot area for each individual residential lot shall be one (1) net acre.
 - (2) The minimum lot width for each individual residential lot shall be one hundred-fifty (150) feet.
 - (3) The minimum front yard setback shall be fifty (50) feet, as measured from the street right-of-way line.
 - (4) The minimum side yard setback shall be thirty (30) feet, as measured on each side.
 - (5) The minimum rear yard setback shall be fifty (50) feet.
 - (6) The maximum building height shall be thirty-five (35) feet.
 - (7) The maximum building coverage shall be fifteen (15) percent for each lot.
 - (8) The maximum lot coverage shall be twenty-five (25) percent for each lot.
- (D) The residue portion of the land being developed in accordance with the lot average provisions contained under Section 606.1 of this Zoning Ordinance shall be retained or occupied by a landowner who has a permitted residential or agricultural use on the residue portion. The residue tract shall be perpetually preserved and deed restricted to prevent further subdivision activity.
- (E) The proposed residential lots and related site improvements shall be developed considering the general subdivision criteria contained under Section 606.4 of this Zoning Ordinance.

Section 606.2 Lot Averaging with 20 gross acres to 30 gross acres

- (A) The proposed subdivision of a parcel of land, which contains twenty (20) gross acres to thirty (30) gross acres, as of the effective date of this Zoning Ordinance, shall be permitted by right within the R-1 Zoning District provided that the site is developed with lots containing single-family detached residential uses in accordance with the lot averaging provisions specified under Sections 606.2 and 606.4 of this Zoning Ordinance.
- (B) The maximum number of lots containing single-family detached dwellings permitted for subdivision from the original parcel shall be determined by the following formula:

$A / 3 = N$: “A” represents the total gross acreage of the parcel to be subdivided, as it existed on the effective date of this Zoning Ordinance, excluding: public and private rights-of-way and easements; one hundred (100) percent of the area occupied by wetlands; and one hundred (100) percent of the area occupied by the 100-year floodplain.

“N” represents the maximum number of residential lots, which will be permitted including all residential lots existing at the time of filing for the subdivision plan. Fractional values of “N” shall be rounded down to the next whole number. This formula shall not preclude the creation of fewer lots by an increase in lot size.

The maximum number of residential lots containing single-family detached dwellings specified by this formula shall not be guaranteed or entitled to any landowner in order to achieve the maximum yield. The total number of permitted residential lots could be reduced in order to comply with other provisions for subdivision and land development.

- (C) The individual lot size for all new single family detached lots shall comply with the dimensional requirements:
- (1) The minimum lot area for each individual residential lot shall be one (1) net acre.
 - (2) The minimum lot width for each individual residential lot shall be one hundred-fifty (150) feet.
 - (3) The minimum front yard setback shall be fifty (50) feet, as measured from the street right-of-way line.
 - (4) The minimum side yard setback shall be thirty (30) feet, as measured on each side.
 - (5) The minimum rear yard setback shall be fifty (50) feet.
 - (6) The maximum building height shall be thirty-five (35) feet.
 - (7) The maximum building coverage shall be fifteen (15) percent for each lot.
 - (8) The maximum lot coverage shall be twenty-five (25) percent for each lot.
- (D) The residue portion of the land being developed in accordance with the lot average provisions contained under Section 606.2 of this Zoning Ordinance shall be retained or occupied by a landowner who has a permitted residential or agricultural use on the residue portion. The residue tract shall be perpetually preserved and deed restricted to prevent further subdivision activity.
- (E) The proposed residential lots and related site improvements shall be developed considering the general subdivision criteria contained under Section 606.4 of this Zoning Ordinance.

Section 606.3: Lot Averaging with 30 gross acres or more

- (A) The proposed subdivision of a parcel of land containing thirty (30) gross acres or more, recorded on or before the effective date of this Zoning Ordinance, shall be permitted by right in the R-1 Zoning District provided that the site is developed with single family-detached dwelling lots or other permitted uses in accordance with the lot averaging and land preservation provisions specified under Sections 606.3 and 606.4 of the Zoning Ordinance.
- (B) The maximum number of residential dwelling units for subdivision from the original parcel shall be determined by the following formula:

$A / 4 = N$: “A” represents the total gross acreage of the parcel to be subdivided, as it existed on the effective date of this Zoning Ordinance, excluding: public and private rights-of-way and easements; one hundred (100) percent of the area occupied by wetlands; and one hundred (100) percent of the area occupied by the 100-year floodplain.

“N” represents the maximum number of residential lots, which will be permitted including all residential lots existing at the time of filing for the subdivision plan. Fractional values of “N” shall be rounded down to the next whole number. This formula shall not preclude the creation of fewer lots by an increase in lot size.

The maximum number of residential lots containing single-family detached dwellings specified by this formula shall not be guaranteed or entitled to any landowner in order to achieve the maximum yield. The total number of permitted residential lots could be reduced in order to comply with other provisions for subdivision and land development.

- (C) The individual lot size for all new single family detached lots shall comply with the dimensional requirements specified on Matrix Chart 6.

Matrix Chart 6: Dimensional Requirements for Subdivision in the R-1 Zoning District		
Dimensional Requirement	Minimum Requirements	Maximum Requirements
Total Net Land Area	1.00 acre	2.00 acre
Lot Width	100 feet	200 feet
Front Yard Setback	50 feet	Not Applicable
Side Yard Setback (each)	20 feet	Not Applicable
Rear Yard Setback	30 feet	Not Applicable
Building Height	Not Applicable	35 feet
Building Coverage	Not Applicable	15 percent
Lot Coverage	Not Applicable	25 percent
<p>Note: The dimensional requirements contained within Matrix Chart 6 shall apply only to new single family detached dwelling lots, which have been subdivided from a tract of land containing twenty (20) or more gross acres in accordance with Section 606.2 of this Zoning Ordinance.</p>		

- (D) As part of the subdivision and land development process, the proposed single family detached lots shall be designed considering the following criteria.

- (1) The size of the lot shall be a minimum of 1.00 net acre but less than 2.00 net acres. The Board of Supervisors may allow lots larger than 2.00 net acres if any of the following conditions apply:
 - (a) Additional land area is required to comply with the provisions for on-lot sewage facilities planning and/or permitting.
 - (b) The site can not be suitably utilized for agricultural or conservation uses due to topographical or hydrological factors.
 - (c) The landowner agrees by deed restriction to reduce the number of permitted residential lots, as specified under Section 606.3(B) of this Zoning Ordinance, whereas, the total number of permitted residential lots are reduced by fifty (50) percent to the lowest divisible value or common denominator.
 - (d) The size of the lot exceeds fifty (50) acres of contiguous land area, whereas, the purpose of the subdivision application is to create a smaller farm containing a single-family residential use. If permitted, the subdivided parcel shall account for two (2) of the permitted lots under the lot averaging formula, as specified under Section 606.3(B) of this Zoning Ordinance.

- (E) The residue or preserved portion of the land being developed in accordance with the lot average provisions contained under Section 606.3 of this Zoning Ordinance shall be retained or occupied by a landowner who has a permitted residential or agricultural use on the residue or preserved portion. The residue tract shall be perpetually preserved and deed restricted to prevent further subdivision activity.

- (F) The proposed residential lots and related site improvements shall be developed considering the general subdivision criteria contained under Section 606.4 of this Zoning Ordinance.

Section 606.4: General Subdivision Criteria for the R-1 Zoning District

- (A) The following general subdivision criteria shall apply to all proposed residential lots within the R-1 Zoning District:
- (1) The permitted uses contained within the residential lot averaging development shall be serviced by public, private or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (2) If on-lot sewage disposal facilities are to be utilized for the residential lot averaging development, a primary and secondary area designated for on-lot sewage shall be provided within the lot for each residential use. The common open space or residue tract shall be designated as a third option for on-lot sewage disposal should the primary and secondary sites for on-lot sewage fail.
 - (3) The permitted uses contained within the residential lot averaging development shall be serviced by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (4) The proposed residential lots and related site improvements shall be planned and designed to consider the goals and objectives of the Comprehensive Plan and the design criteria specified by the Subdivision and Land Development Ordinance. As part of this requirement, the following provisions shall apply:
 - (a) The proposed residential lots should be clustered together in a manner that will preserve the functional use and agricultural values of the farm or residue tract.
 - (b) The proposed residential lots should be clustered together in a manner that will preserve the functional use and agricultural values of the farm or residue tract.
 - (c) The proposed residential lots and related site improvements shall be designed to consider prime agricultural land and soils.
 - (d) The proposed residential lots and related site improvements shall be designed to consider adjacent agricultural and conservation land uses.
 - (e) The proposed residential lots and related site improvements shall be designed to consider the preservation of scenic roads, vistas and viewsheds.
 - (5) The residue or preserved portion of the land being developed in accordance with the lot average provisions shall be retained or occupied by a landowner who has a permitted residential or agricultural use on the residue or preserved portion. The residue tract shall be perpetually preserved and deed restricted to prevent further subdivision activity.
 - (6) The subdivision plan shall contain notes referencing the subdivision and development limitations associated with the R-1 Zoning District as well as the future subdivision or allotment of residential lots that are remaining with the parent tract. The note should account for all residential lots previously approved by West Nantmeal Township, by referencing the approval date, number of lots, acreage and tax parcel identification number.
 - (7) A note shall be applied to all proposed subdivision, land development, and building permit applications for residential uses within the R-1 Zoning District:

All land and water areas within the R-1 Zoning District are located in an area where land is utilized for agricultural operations and uses. Owners, residents and other users of this property as well as neighboring properties will be subjected to occasional inconvenience and discomfort arising from normal and accepted local agricultural practices and operations, including but not limited to noise,

odors, dust, the operation of machinery, including aircraft, the storage and disposal of manure, the application of fertilizer, soils amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such conditions and inconveniences are hereby put on official notice that the Pennsylvania Right to Farm Law may bar them from obtaining a legal judgment against normal agricultural operations.

- (8) In addition to the provisions contained within this Zoning Ordinance, all proposed residential lots shall be designed in accordance with the provisions contained within the Subdivision and Land Development Ordinance.
- (B) In lieu of the lot averaging provisions specified under this section of the Zoning Ordinance, a landowner may consider the option of developing a farm lot with more than (1) single-family detached dwelling provided that the farm lot contains more than twenty (20) gross contiguous acres, which is undivided by public rights-of-way. In all such cases, the following provisions shall apply:
- (1) The maximum number of residential uses shall be limited to three (3) single-family dwellings on the farm lot.
 - (2) The single-family detached dwellings should be clustered together in a manner that will preserve the functional use and agricultural values of the farm lot. A minimum separation distance of one hundred (100) feet from each dwelling shall be required.
 - (3) The single-family detached dwellings shall be located at least fifty (50) feet from the street right-of-way and all other property lines.
 - (4) The applicant shall demonstrate that the property could be subdivided in the future considering the provisions specified by this Zoning Ordinance.
 - (5) The single-family detached dwellings shall have separate and independent provisions for sanitary sewage disposal and water supply, which have been approved by the Chester County Health Department and Pennsylvania Department of Environmental Protection.
 - (6) If permitted by West Nantmeal Township, the provisions for subdivision and land development may be waived.
- (C) Properties subdivided exclusively for agricultural or conservation uses shall not count towards the number of permitted residential uses or lots specified under this section of the Zoning Ordinance. All such lots shall contain ten (10) acres or more of contiguous land area, which shall be perpetually preserved and deed restricted as an agricultural or conservation use.
- (D) Where a parcel of land has been preserved as an agricultural or conservation easement through a county, state or federal program, the landowner may consider land development options in accordance with the policies of the county, state or federal program to which the same property has been preserved through an easement.
- (E) All non-residential subdivision and land activity within the R-1 Zoning District shall be subject to the provisions of Sections 402 and 603 of this Zoning Ordinance.

Section 607: Residential Cluster Design for the R-2 Zoning District

- (A) The purpose of this section of the Zoning Ordinance is to provide development and design standards for Residential Cluster Design for the R-2 Zoning District. The objectives of these provisions are outlined as follows:
- (1) To provide an optional approach to community development with provisions to permit more efficient utilization of land and infrastructure.
 - (2) To encourage innovative residential land development that will conserve open space.
 - (3) To protect environmentally sensitive areas and ecological habitats.

- (4) To endorse smart growth techniques and conservation design practices.
 - (5) To implement the recommendations concerning natural features, development, utilities, transportation, housing, and land use, as outlined within the West Nantmeal Township Comprehensive Plan.
- (B) A parcel of land containing twenty (20) or more gross acres of land within the R-2 Zoning District, as deeded, described and contained as part of the parent tract after enactment date of this Zoning Ordinance, shall be developed with single family-detached dwelling units subject to the residential cluster development provisions of Section 607 of this Zoning Ordinance.
- (C) Residential Cluster Developments within the R-2 Zoning District, as defined under Article 2 of this Zoning Ordinance, shall be permitted by conditional use. For the purposes of this Zoning Ordinance, “Residential Cluster Developments within the R-2 Zoning District” shall also be referenced as “R-2 Cluster Developments”.
- (D) R-2 Cluster Developments shall be designed to comply with the following design and eligibility requirements:
- (1) The minimum amount of land in the development shall be twenty (20) contiguous acres of land, which shall be owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. West Nantmeal Township may consider parcels of land to be contiguous that are physically separated by existing public roads, utility easements or rights-of way, streams and/or other natural features, provided that the applicant demonstrates that the R-2 Cluster Development can be strategically designed as a unified community.
 - (2) The permitted uses contained within the development shall be serviced by public, private or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan as well as any ordinances adopted by West Nantmeal Township. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (3) If on-lot sewage disposal facilities are to be utilized for the R-2 Cluster Development, a primary and secondary area designated for on-lot sewage shall be provided within the lot for each residential use.
 - (4) The permitted uses contained within the development shall be serviced by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection.
 - (5) All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
 - (6) A minimum of forty (40) percent of the gross area of the R-2 Cluster Development shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with the provisions of this Zoning Ordinance.
 - (7) The maximum permitted base residential density provision for the R-2 Cluster Development shall be 0.50 dwelling units per gross acre.
- (E) The following land uses shall be permitted uses within the R-2 Cluster Development:
- (1) Single-family detached residential uses shall comply with the following minimum and maximum dimensional requirements:
 - (a) The minimum net lot area for each individual residential lot shall be one (1) acre.

- (b) The minimum lot width for each individual residential lot shall be one hundred-fifty (150) feet.
 - (c) The minimum front yard setback shall be fifty (50) feet.
 - (d) The minimum side yard setback shall be thirty (30) feet, as measured on each side.
 - (e) The minimum rear yard setback shall be fifty (50) feet.
 - (f) The maximum building height shall be thirty-five (35) feet.
 - (g) The maximum building coverage shall be fifteen (15) percent for each lot.
 - (h) The maximum lot coverage shall be twenty-five (25) percent for each lot.
- (2) Category 1 Home Occupation Use, subject to Section 615.1 of this Zoning Ordinance.
 - (3) Category 2 Home Occupation Use, subject to Section 615.1 of this Zoning Ordinance.
 - (4) Municipal uses, subject to Section 736.1 of this Zoning Ordinance.
 - (5) Non-commercial recreation uses, subject to Section 742.1 of this Zoning Ordinance.
 - (6) Community utility provisions, subject to the provisions of Section 750.1 of this Zoning Ordinance.
- (F) The R-2 Cluster Development shall be designed in accordance with the following site design, planning and engineering considerations:
- (1) A sketch plan should be designed by the applicant considering all of the goals, objectives and design requirements of Section 607 of this Zoning Ordinance. The sketch plan should show the tentative location of the lots, streets, stormwater management facilities as they relate to the natural features and environmentally sensitive areas present on the site of the development. The sketch plan is recommended as a prerequisite to the formal submission of a preliminary subdivision and land development plan.
 - (2) The minimum lot area required for each residential use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas defined as Category 2 Slopes.
 - (3) All land and water areas that are not utilized for lots, streets, utilities, or other permitted uses within the R-2 Cluster Development shall be set aside and maintained as common open space.
 - (4) The proposed residential lots and dwelling units within the R-2 Cluster Development shall have suitable access to an existing public street.
 - (5) In addition to the interior parking spaces within garages, each single family detached residential lot within the R-2 Cluster Development shall provide a minimum of two (2) off-street parking spaces contiguous to the garage and located no closer than five feet to the side lot line. The proposed off-street parking spaces shall not exceed a grade of eight (8) percent.
 - (6) The design requirements and specifications contained within the West Nantmeal Township Subdivision and Land Development Ordinance shall be applied to the R-2 Cluster Development.
- (G) The R-2 Cluster Development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:
- (1) The R-2 Cluster Development shall be designed with regard to the topographic, hydrologic, geologic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are protected and preserved to the extent that it is required to avoid unnecessary disturbance of land in an effort to implement the planning criteria and site design standards relating to the proposed housing types, street locations and required infrastructure.

- (2) A natural features plan shall be developed to identify the locations of floodplains, surface waters, wetlands, Category 1 and 2 Slopes, woodlands, rock outcroppings, and other significant features. The natural features plan shall be submitted with the sketch, preliminary and final phases of the subdivision and land development plan application.
 - (3) A preliminary grading plan shall be developed to identify the limits of disturbance for all municipal site improvements within the R-2 Cluster Development, depicting the proposed location thereof in relation to lakes, ponds, streams, floodplains, wetlands, woodlands and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.
 - (4) A landscaping plan shall be submitted to West Nantmeal Township for consideration as part of the preliminary subdivision and land development plan application. The applicant shall provide three (3) new trees for each proposed residential lot within the development. The proposed trees should be a minimum caliper of two (2) inches and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.
 - (5) The R-2 Cluster Development shall provide a twenty (20) foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract where necessary to enhance the privacy of the adjacent property owners, as determined by the Board of Supervisors. The design of the landscaping, buffer yard and planting screen shall be subject to the reasonable approval of the Board of Supervisors. The use of existing healthy mature trees (12 inches or more in caliper) is encouraged and may be utilized as part of the required buffer yard.
- (H) The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:
- (1) A minimum of forty (40) percent of the gross area of the development shall be set aside and reserved as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space.
 - (2) Land designated as common open space shall not contain areas within the 100-year floodplain, areas delineated as wetlands and/or areas classified as Category 2 Slopes.
 - (3) Land designated as common open space shall not include above-ground utilities and/or stormwater management facilities.
 - (4) The common open space shall be planned and located as a contiguous accessible area within the development. Planned linkages to other common open space areas, preserved lands, recreation areas and/or natural features shall be encouraged and considered as part of the plan.
 - (5) The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than one hundred (100) feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the R-2 Cluster Development containing no less than thirty (30) percent of the required open space.
 - (6) For all common open spaces, satisfactory written agreements shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, which shall be recorded with the approved plan.
 - (7) The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
 - (a) Retain the ownership, management and maintenance responsibilities;
 - (b) Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
 - (c) Dedicate the land encompassing the common open space to West Nantmeal Township, who shall have the option to accept or refuse the land offered for dedication; or

- (d) Dedicate the land encompassing the common open space to a conservation management group or non-profit organization that has the capacities and resources to adequately maintain the common open space.
- (8) All options involving the ownership, management and maintenance of land and water areas designated as common open space shall be subject to the review and approval of West Nantmeal Township.
- (9) The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by West Nantmeal Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.
- (10) As part of the conditional use approval, the Board of Supervisors may modify the standards and specifications for the common open space as contained in Section 607.H of this Zoning Ordinance.

Section 608: Residential Cluster Design for the R-3 Zoning District

- (A) The purpose of this section of the Zoning Ordinance is to provide development and design standards for Residential Cluster Design for the R-3 Zoning District. The objectives of these provisions are outlined as follows:
 - (1) To provide an optional approach to community development with provisions to permit more efficient utilization of land and infrastructure;
 - (2) To encourage innovative residential land development that will conserve open space as well as protect environmentally sensitive areas and ecological habitats.
 - (3) To endorse smart growth techniques and conservation design practices.
 - (4) To implement the recommendations concerning natural features, development, utilities, transportation, housing, and land use, as outlined within the West Nantmeal Township Comprehensive Plan.
- (B) Residential Cluster Design for the R-3 Zoning District, as defined under Article 2 of this Zoning Ordinance, shall be permitted by conditional use. For the purposes of this Zoning Ordinance, Residential Cluster Developments within the R-3 Zoning District shall also be referenced as “R-3 Cluster Developments”.
- (C) R-3 Cluster Developments shall be designed in accordance with the following general design and eligibility requirements:
 - (1) The minimum amount of land in the development shall be twenty (20) contiguous acres of land, which shall be owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. West Nantmeal Township may consider parcels of land to be contiguous that are physically separated by existing public roads, utility easements or rights-of way, streams and/or other natural features, provided that the applicant demonstrates that the R-3 Cluster Development can be strategically designed as a unified community.
 - (2) Residential uses containing single-family detached dwellings, single-family semi-detached dwellings, townhouses, and their accessory structures and uses shall be permitted within the R-3 Cluster Development. Each residential use shall be located on land area that is most suitable for development in an effort to protect significant natural features and environmentally sensitive land areas. The following land use residential land use composition requirements shall be applied to a R-3 Cluster Development:
 - (a) A minimum of twenty (20) percent of the residential uses shall be designed on lots containing single-family detached dwelling units.
 - (b) A maximum of fifty (50) percent of the residential uses shall be designed on lots containing single-family semi-detached dwelling units.
 - (c) A maximum of fifty (50) percent of the residential uses shall be designed as townhouse units.

- (3) The permitted uses contained within the development shall be serviced by public sanitary sewage disposal facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, Chester County Health Department and the Pennsylvania Department of Environmental Protection.
- (4) The permitted uses contained within the development shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, Chester County Health Department and the Pennsylvania Department of Environmental Protection.
- (5) As part of the conditional use application, the applicant shall provide documentation or evidence that the method of sanitary sewage disposal and water supply shall be sufficient to accommodate the proposed uses within the development without adversely affecting other adjacent land uses.
- (6) All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
- (7) A minimum of twenty (20) percent of the gross area of the R-3 Cluster Development shall be set aside as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with all provisions of this section of the Zoning Ordinance.
- (8) The maximum permitted base residential density provision for the R-3 Cluster Development shall be six (6) dwelling units per gross acre.

(D) The following land uses shall be permitted uses within a R-3 Cluster Development:

- (1) Single family detached residential uses, subject to the following minimum and maximum development requirements:
 - (a) The minimum net lot area for each individual residential lot shall be 6,000 square feet.
 - (b) The minimum lot width for each individual residential lot shall be sixty (60) feet.
 - (c) The minimum front yard setback shall be thirty (30) feet.
 - (d) The minimum side yard setback shall be five (5) feet, as measured on each side.
 - (e) The minimum rear yard setback shall be ten (10) feet.
 - (f) The maximum building height shall be thirty-five (35) feet.
 - (g) The maximum building coverage shall be forty (40) percent for each lot.
 - (h) The maximum lot coverage shall be sixty (60) percent for each lot.
- (2) Single family semi-detached residential uses, subject to the following minimum and maximum development requirements:
 - (a) The minimum net lot area for each individual residential lot shall be 4,000 square feet.
 - (b) The minimum lot width for each individual residential lot shall be forty (40) feet.
 - (c) The minimum front yard setback shall be thirty (30) feet.
 - (d) The minimum side yard setback shall be five (5) feet, as measured on each side.
 - (e) The minimum rear yard setback shall be ten (10) feet.

- (f) The maximum building height shall be thirty-five (35) feet.
 - (g) The maximum building coverage shall be fifty (50) percent for each lot.
 - (h) The maximum lot coverage shall be seventy (70) percent for each lot.
- (3) Townhouse units, subject to the following minimum and maximum development requirements:
- (a) The minimum width of a townhouse unit shall be twenty (20) feet.
 - (b) The building setback line should be established twenty (20) feet from the right-of-way line or thirty (30) feet from the curb line.
 - (c) The minimum building separation from other groups of townhouse units within the development shall be as follows: the separation shall be twenty (20) feet when the townhouse unit groups are side to side; the separation shall be thirty (30) feet when the townhouse unit groups are side to rear; and the separation shall be forty (40) feet when the townhouse unit groups are rear to rear.
 - (d) All townhouse units within the development shall be located at least forty (40) feet from any property line or property, which is not owned by the applicant in pre-development conditions.
 - (e) The number of townhouse units, attached in a common row, shall not exceed eight (8) attached townhouse units. The front building lines or facades of any two adjoining townhouse units shall be offset or staggered by a minimum of two (2) feet.
 - (f) The maximum height of a townhouse unit shall be thirty-five (35) feet or three (3) floors.
- (4) Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the R-3 Cluster Development and which are owned and operated by the developer or homeowners association.
- (5) Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the R-3 Cluster Development.
- (6) Category 1 Home Occupation Use, subject to Section 615.1 of this Zoning Ordinance
- (7) Municipal uses, subject to Section 736.1 of this Zoning Ordinance.
- (8) Non-commercial recreational uses, subject to Section 742.1 of this Zoning Ordinance.
- (9) Commercial recreation uses, subject to Section 742.2 of this Zoning Ordinance.
- (10) Community utility provisions, subject to Section 750.1 of this Zoning Ordinance.
- (E) The R-3 Cluster Development shall be designed in accordance with the following site design, planning and engineering considerations:
- (1) A sketch plan should be designed by the applicant considering all of the goals, objectives and design requirements of Section 608 of this Zoning Ordinance. The sketch plan should show the tentative location of the lots, streets, stormwater management facilities as they relate to the natural features and environmentally sensitive areas present on the site of the development. The sketch plan is recommended as a prerequisite to the formal submission of a preliminary subdivision and land development plan.
 - (2) The area occupied by each residential use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, and/or areas defined as Category 1 or 2 Slopes.
 - (3) All land and water areas that are not utilized for lots, streets, utilities, or other permitted uses within the R-3 Cluster Development shall be set aside and maintained as common open space.
 - (4) The proposed residential lots and dwelling units within the R-3 Cluster Development shall have suitable access to an existing public street.

- (5) In addition to the interior parking spaces within garages, each residential use within the R-3 Cluster Development shall provide a minimum of two (2) off-street parking spaces.
 - (6) Exterior storage areas for trash and rubbish shall be enclosed and screened from view on three (3) sides by fencing and/or landscaping. All trash and rubbish shall be contained in vermin-proof containers.
- (F) The R-3 Cluster Development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:
- (1) The R-3 Cluster Development shall be designed with regard to the topographic, hydrologic, geologic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are protected and preserved to the extent that it is required to avoid unnecessary disturbance of land in an effort to implement the planning criteria and site design standards relating to the proposed housing types, street locations and required infrastructure.
 - (2) A natural features plan shall be developed to identify the locations of floodplains, surface waters, wetlands, Category 1 and 2 Slopes, woodlands, rock outcroppings, and other significant features. The natural features plan shall be submission requirement for the submission of a sketch plan and a preliminary subdivision and land development plan application.
 - (3) A preliminary grading plan shall be developed to identify the limits of disturbance for all municipal site improvements within the R-3 Cluster Development, depicting the proposed location thereof in relation to lakes, ponds, streams, floodplains, wetlands, woodlands and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.
 - (4) A landscaping plan shall be submitted to West Nantmeal Township for consideration as part of the preliminary subdivision and land development plan application. The applicant shall provide three (3) new trees for each proposed residential lot within the development. The proposed trees should be a minimum caliper of three (3) inches and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.
 - (5) The R-3 Cluster Development shall provide a twenty (20) foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract where necessary to enhance the privacy of the adjacent property owners, as determined by the Board of Supervisors. The design of the landscaping, buffer yard and planting screen shall be subject to the reasonable approval of the Board of Supervisors. The use of existing healthy mature trees (12 inches or more in caliper) is encouraged and may be utilized as part of the required buffer yard.
- (G) The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:
- (1) A minimum of twenty (20) percent of the gross area of the development shall be set aside and reserved as common open space, which shall be perpetually preserved by deed to restrict future residential development or other uses that may conflict with the integrity of the common open space.
 - (2) The area designated as common open space shall comply with the following specifications:
 - (a) Land designated as common open space shall not contain areas within the 100-year floodplain, areas delineated as wetlands and/or areas classified as Category 2 Slopes.
 - (b) Land designated as common open space shall not include above-ground utilities and/or stormwater management facilities.
 - (c) The common open space shall be planned and located as a contiguous accessible area within the development. Planned linkages to other common open space areas, preserved lands, recreation areas and/or natural features shall be encouraged and considered as part of the plan.
 - (d) The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land.

- (e) Pedestrian pathways less than fifty (50) feet in width may be included as part of the common open space calculations provided that land area occupied by the pedestrian pathways does not account for more than ten (10) percent of the required common open space and that the pedestrian pathways provide a linkage to other areas designated as common open space.
 - (f) There shall be at least one (1) designated common area that is contiguous within the R-3 Cluster Development containing no less than twenty-five (25) percent of the required open space.
- (3) Non-commercial recreation uses may be incorporated within the areas designated as common open space provided that the non-commercial recreation uses are planned, located and designed in accordance with Section 742.1 of this Zoning Ordinance.
 - (4) Commercial recreation uses may be incorporated within the areas designated as common open space provided that the commercial recreation uses principally benefit the residents of the development. The commercial recreation uses shall be planned, located and designed in accordance with Section 742.2 of this Zoning Ordinance.
 - (5) As part of the conditional use approval, the Board of Supervisors may modify the standards and specifications for the common open space as contained in Section 608.G of this Zoning Ordinance.
 - (6) For all common open spaces, satisfactory written agreements shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, which shall be recorded with the approved plan.
 - (7) The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
 - (a) Retain the ownership, management and maintenance responsibilities.
 - (b) Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
 - (c) Dedicate the land encompassing the common open space to West Nantmeal Township, who shall have the option to accept or refuse the land offered for dedication; or
 - (d) Dedicate the land encompassing the common open space to a conservation management group or non-profit organization that has the capacities and resources to adequately maintain the common open space.
 - (8) All options involving the ownership, management and maintenance of land and water areas designated as common open space shall be subject to the review and approval of West Nantmeal Township. The land areas designated as common open space shall be subject to the approval of West Nantmeal Township.
 - (9) The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by West Nantmeal Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

Section 609: Group Homes

- (A) Group Homes, as defined under Article 2 of this Zoning Ordinance, are permitted by special exception within the R-1, R-2 and R-3 Zoning Districts.
- (B) All group homes shall be designed and contained within a single-family detached dwelling unit located on a conforming lot that complies with the minimum and maximum dimensional requirements as well as the utility provisions specified by the zoning district on which the single-family dwelling and group home is located.

- (C) The supplemental matrix charts contained within Article 4 of this Zoning Ordinance provides the basic utility requirements (sewer and water facilities) for each permitted use by its assigned zoning district. The following specific provisions shall apply to utility provisions for group homes:
- (1) Group homes shall be serviced by public, community, private or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan as well as any ordinances adopted by West Nantmeal Township. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection.
 - (2) Group homes shall be serviced by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection.
 - (3) All other utility provisions serving group homes shall be planned and installed in accordance with the specifications of the public utility provider supplying service. The applicant shall provide documentation from the utility provider that the services are capable of accommodating the needs of the group home.
- (D) All group homes shall be designed in accordance with the following general standards and requirements:
- (1) No group home shall be located within 500 linear feet of another group home.
 - (2) One (1) off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees that could be present at any given time, plus one (1) space for each two (2) persons within the group home. Garage space shall not be used in calculating off-street parking.
 - (3) No more than two (2) live-in supervisors shall reside in a group home.
 - (4) The sponsoring social service agency shall provide documentation to West Nantmeal Township that all building, fire, plumbing, heating, electrical and similar facilities meet the standards established by the West Nantmeal Township and by the Commonwealth of Pennsylvania.
 - (5) The sponsoring social service agency shall provide documentation to West Nantmeal Township that the group home has been certified as an approved use within the Commonwealth of Pennsylvania.
 - (6) The sponsoring social service agency shall be responsible for the physical safety and emotional support of the residents within the group home. A point of contact and/or designated counselor should be available twenty-four (24) hours per day, seven (7) days per week.
 - (7) The sponsoring social service agency shall provide West Nantmeal Township with a list of tenants who reside within the group home.
 - (8) No group home shall have more than five (5) unrelated residents at any given time period.
 - (9) An emergency management plan shall be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be posted and a copy shall be issued to the social workers and tenants.

Section 610: Assisted Living Care Facilities, Convalescent Homes and Nursing Homes

- (A) Assisted living care facilities, convalescent homes and nursing homes, as further defined under Article 2 of this Zoning Ordinance, shall be permitted by conditional use within the R-3 and C-1 Zoning Districts.
- (B) Assisted living care facilities, convalescent homes and nursing homes shall be subject to the following general design and eligibility requirements:

- (1) A minimum of five (5) acres of contiguous net land area shall be required to accommodate the assisted living care facility, convalescent home and/or nursing home, which shall be owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties.
- (2) The assisted living care facility, convalescent home and/or nursing home shall be serviced by public sanitary sewage disposal facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, Chester County Health Department and the Pennsylvania Department of Environmental Protection.
- (3) The assisted living care facility, convalescent home and/or nursing home shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall provide documentation or evidence that the quantity of the water supply source will be sufficient to accommodate the proposed uses within the development without adversely affecting other adjacent land uses.
- (4) All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
- (5) The assisted living care facility, convalescent home and/or nursing home shall be designed to comply with the following minimum and maximum dimensional requirements:
 - (a) The minimum building setback line shall be established fifty (50) feet from the right-of-way line or sixty (60) feet from the curb line.
 - (b) The maximum depth and/or length of any building shall not exceed one hundred and two hundred (200) feet respectively.
 - (c) The maximum height of the building shall be forty-five (45) feet or four (4) floors.
 - (d) All buildings shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.
 - (e) The minimum building separation from other groups of internal buildings shall be forty (40) feet.
 - (f) No more than twenty-five (25) percent of the total area of the development shall be covered by buildings.
 - (g) No more than forty (40) percent of the total area of the development shall be covered by impervious surfaces.
- (6) All property lines adjacent to existing residential land uses shall be adequately screened and buffered so as to protect the residential neighborhood from inappropriate noise, light and other disturbances.
- (7) All designated points of ingress and egress for emergency management vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.
- (8) All means of ingress and/or egress shall be located at least 150 feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or West Nantmeal Township.

- (9) The off-street parking and loading spaces shall be designed to comply with the provisions specified under Article 9 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of emergency response vehicles, buses and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.
- (10) All proposed signs for the assisted living care facility, convalescent home and/or nursing home shall comply with the provisions specified under Article 10 of this Zoning Ordinance.
- (11) Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area for trash and rubbish shall be permitted within twenty (20) feet from any property line.
- (12) All medical waste, bio-hazardous materials, equipment, red bag waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, county, state and federal laws.
- (13) An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be posted and a copy shall be issued to occupants of the facility.

Section 611: Manufactured Home Parks

- (A) Manufactured Home Parks, as defined under Article 2 of this Zoning Ordinance, are permitted by conditional use within the C-1 Zoning District.
- (B) For the purposes of this Zoning Ordinance, “Manufactured Home Park” shall be synonymous with “Mobile Home Park” and “Manufactured Home” may be synonymous with “Mobile Home”. If required, the Zoning Officer shall determine if the terminology are synonymous or if an alternative interpretation should be considered.
- (C) All Manufactured Home Parks shall be designed in accordance with the following general design and eligibility requirements:
 - (1) The Manufactured Home Park shall consist of a minimum contiguous land area of ten (10) acres. Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. West Nantmeal Township may consider parcels of land that are physically separated by public roads, utility easements or rights-of way, streams and/or other natural features, provided that the applicant demonstrates that the Manufactured Home Park can be strategically designed as a unified community.
 - (2) The Manufactured Home Park shall be served by public sanitary sewage disposal facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, Chester County Health Department and the Pennsylvania Department of Environmental Protection public sanitary sewage disposal facilities.
 - (3) The Manufactured Home Park shall be served by public water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township, the Chester County Health Department and the Pennsylvania Department of Environmental Protection.
 - (4) A minimum of fifty (50) percent of the land area within the Manufactured Home Park shall be set aside as common open space, which shall be perpetually preserved and deeded to restrict future residential

development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with all provisions of this Zoning Ordinance.

- (5) The Manufactured Home Park shall be designed with regard to the topographic and natural features of the site. All natural features (lakes, streams, topsoil, knolls, basins, trees and shrubs) should be preserved and incorporated into the final landscaping whenever possible. The finished topography shall adequately facilitate the Manufactured Home Park without excessive earthmoving and neglect for the natural environmental amenities.
 - (6) The Manufactured Home Park shall not exceed four (4) dwelling units per gross acre.
- (D) The Manufactured Homes located within the Manufactured Home Park shall be located on individual lots or lease areas and shall be designed to comply with the following dimensional requirements:
- (1) The minimum net lot area or net lease area for each individual manufactured home shall be 4,000 square feet.
 - (2) The minimum lot width for each individual manufactured home lot or lease area shall be sixty (60) feet.
 - (3) The minimum front yard setback shall be twenty (20) feet.
 - (4) The minimum side yard setback shall be ten (10) feet, as measured on each side.
 - (5) The minimum rear yard setback shall be twenty (20) feet.
 - (6) The maximum lot coverage shall be eighty (80) percent for each lot or lease area.
 - (7) All proposed Manufactured Homes within the Manufactured Home Park shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.
 - (8) No structure shall be constructed on or within fifty (50) feet of any land or water areas designated as floodplains, wetlands, hydric soils, and slopes exceeding 20 percent in grade.
 - (9) No more than one (1) Manufactured Home shall be placed on a Manufactured Home lot or lease area, and such Manufactured Home shall be occupied by not more than one (1) single family.
- (E) All Manufactured Home Parks shall be subject to the following development and procedural requirements:
- (1) The Manufactured Home Park shall provide an evergreen planting screen at least twenty (20) feet in depth along the property line at the periphery of the development.
 - (2) No part of the Manufactured Home Park shall be used to accommodate other uses than the uses permitted under this section of the Zoning Ordinance.
 - (3) There shall be at least one (1) street within the Manufactured Home Park, which serves as an internal collector street from which minor streets shall turn out so as to provide direct access to each Manufactured Home lot or lease area. All streets shall be designed and constructed to comply with all pertinent specification adopted by West Nantmeal Township.
 - (4) All entrances shall conform to the standards of the Pennsylvania Department of Transportation and West Nantmeal Township. A Traffic Impact Study should be prepared to assess the needs for on-site and off-site traffic improvements, which may be required to facilitate the Manufactured Home Park. The Traffic Impact Study shall be submitted to West Nantmeal Township for review and consideration as part of the conditional use application.
 - (5) A minimum of two (2) off-street parking spaces measuring ten (10) feet by twenty (20) feet shall be provided for each Manufactured Home lot or lease area. A common off-street parking area may be designed to accommodate the required off-street parking requirements and/or to provide additional spaces

for overflow parking spaces. No on-street parking shall be permitted within the Manufactured Home Park.

- (6) Each Manufactured Home space shall be provided with a concrete pad or basement foundation that shall comply with the specifications of the manufacturer and the building code requirements of West Nantmeal Township.
 - (7) All Manufactured Homes shall be located, erected and anchored in accordance with all applicable standards and provisions specified by West Nantmeal Township and/or the manufacturers specifications.
 - (8) Each Manufactured Home stand shall be equipped with utility connections. For reasons of safety, the space between the Manufactured Home stand and the Manufactured Home floor shall be permanently enclosed to prevent unauthorized entry and to conceal all supports and utility connections. Each stand shall be located at such elevation, distance and angle in relation to the access street and Manufactured Home accessory that the placement and removal of the Manufactured Home is practical.
 - (9) The area between the ground level and the perimeter of the Manufactured Home shall be enclosed by means of a suitable skirting.
 - (10) Every Manufactured Home and open space areas shall have access to an improved public or private street.
 - (11) A subdivision and land development plan shall be submitted to West Nantmeal Township for review and consideration.
 - (12) Unless otherwise required by the utility provider, all public utility services shall be underground within the Manufactured Home Park.
 - (13) Exterior storage areas for refuse stations shall be properly screened from the view of all Manufactured Homes within the Manufactured Home Park and from adjacent property owners. All containers shall be air-tight, vermin-proof and have adequate storage capacity to accommodate the projected volumes of solid waste. The Manufactured Home Park shall have a solid waste management plan.
 - (14) All Manufactured Home Parks containing twenty-five (25) or more Manufactured Homes shall employ the services of a qualified manager.
- (F) The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:
- (1) A minimum of fifty (50) percent of the gross area of the Manufactured Home Park shall be set aside as common open space, which shall be perpetually preserved and deeded to restrict future residential development or other uses that may conflict with the integrity of the common open space.
 - (2) The area designated as common open space shall comply with the following specifications:
 - (a) No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.
 - (b) No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.
 - (c) The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land.
 - (d) There shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required open space.

- (3) The common open space shall be planned and located as a contiguous accessible area within the Manufactured Home Park. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas, preserved lands, recreation areas and/or natural features shall be encouraged and considered as part of the special exception application.
 - (4) A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.
 - (5) For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.
 - (6) The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall retain ownership of the land encompassing the common open space areas.
 - (7) The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by West Nantmeal Township. The applicant shall be responsible for all requirements for recreation impact fees associated with this development.
- (G) In addition to the permitted Manufactured Homes, the proposed Manufactured Home Park may contain the following non-residential uses, provided they are considered and approved as part of the conditional use application:
- (1) Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, management, sales, meetings, laundry facilities, storage, and/or maintenance, which are directly associated with the Manufactured Home Park.
 - (2) Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the Manufactured Home Park.
 - (3) Category 1 Home Occupations, subject to Section 615.1 of this Zoning Ordinance.
 - (4) Municipal uses, subject to Section 736.1.1 of this Zoning Ordinance.
 - (5) Non-commercial recreation uses, subject to Section 742.1.1 of this Zoning Ordinance.
 - (6) Accessory buildings, structures and uses.
- (H) Existing Manufactured Home Parks that do not conform with the provisions specified by this Zoning Ordinance shall be considered nonconforming and subject to the applicable provisions of Article 10 of this Zoning Ordinance.

Section 612: Bed and Breakfast Establishments

- (A) Bed and breakfast establishments, as defined under Article 2 of this Zoning Ordinance, are permitted by conditional use within the R-1, R-2 and C-1 Zoning Districts.
- (B) Bed and breakfast establishments shall be designed in accordance with the following general design requirements:
 - (1) The bed and breakfast establishment shall be contained within a single-family detached, owner-occupied dwelling unit. The principal use shall remain that of a single-family detached residential dwelling unit.
 - (2) All bed and breakfast establishments shall be located on approved lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are specified by the zoning district on which the bed and breakfast establishment is located.
 - (3) The owner of the bed and breakfast establishment shall be a permanent resident of the establishment.

- (4) A bed and breakfast establishment shall not have more than five (5) guest rooms and shall not house more than ten (10) guests.
 - (5) The principal residential use or single-family detached dwelling shall contain complete sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with partial or complete cooking facilities to accommodate the occupants plus all of the guests. No cooking facilities of any kind shall be permitted in any guest rooms.
 - (6) A minimum of two (2) off-street parking spaces shall be required for the owners of the single-family detached dwelling plus one (1) space for each of the guest rooms. The proposed off-street parking spaces shall be located at least twenty (20) feet from all property lines and shall comply with the design requirements specified by this Zoning Ordinance. The off-street parking spaces shall be screened from the roadways and other adjacent properties with suitable landscaping materials.
 - (7) All external amenities provided for the guests, including swimming pools, whirlpool spas, tennis courts, gazebos, entertainment areas, and other common facilities shall be located at least fifty (50) feet from all property lines.
 - (8) Non-resident employees shall be limited to two (2) employees.
 - (9) A single decorative on-site sign, measuring four (4) square feet per side shall be permitted for the bed and breakfast establishment. The proposed sign shall be subject to all other requirements specified by this Zoning Ordinance.
 - (10) The length of stay for any guest at a rooming or boarding house establishment shall not exceed fourteen (14) consecutive days.
- (C) Bed and breakfast establishments shall not be permitted within R-1 Cluster Developments and R-2 Cluster Developments.

Section 613: Boarding or Rooming House

- (A) Boarding houses or rooming houses, as defined under Article 2 of this Zoning Ordinance, are permitted by right in the R-1, R-2, R-3 and C-1 Zoning Districts.
- (B) All boarding or rooming houses shall be designed in accordance with the following general design requirements:
 - (1) A boarding or rooming house shall be contained within a single-family detached, owner-occupied dwelling unit. The principal use shall remain that of a single-family detached residential dwelling unit.
 - (2) The minimum land area required to facilitate a boarding or rooming house shall be located on a conforming lot that equals to or exceeds the lot area and dimensional requirements for a single family dwelling unit for the zoning district on which the boarding or rooming house is located.
 - (3) The owner of the boarding house shall be a permanent resident of the establishment.
 - (4) The boarding or rooming house shall not have more than three (3) guest rooms and shall not house more than four (4) unrelated occupants.
 - (5) The principal residential use or single family dwelling shall contain complete sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with complete cooking facilities to accommodate the occupants. No cooking facilities of any kind shall be permitted in any guest rooms.
 - (6) A minimum of two (2) off-street parking spaces shall be required for the single family dwelling plus one (1) space for each of the guest rooms. The proposed off-street parking spaces shall comply with the design requirements specified by this Zoning Ordinance.
 - (7) No signs shall be permitted to advertise or identify the location of the boarding or rooming house.

Section 614 Accessory Apartments for Relatives

- (A) An accessory apartment for relatives, as defined under Article 2 of this Zoning Ordinance, shall be permitted by right within the R-1 and R-2 Zoning Districts.
- (B) An accessory apartment for relatives shall comply with the following general design requirements:
- (1) The accessory apartment for relatives shall be considered an attached component or living area of a permitted single-family dwelling on a conforming lot, which complies with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the zoning district on which the accessory apartment for relatives is located.
 - (2) An accessory apartment for relatives shall be considered as an accessory use to the single-family dwelling, which shall only be utilized by the relatives of the occupants of the single-family dwelling.
 - (3) The accessory apartment for relatives shall be occupied by a maximum of two (2) people.
 - (4) The accessory apartment for relatives may not have a gross floor area in excess of 1,000 square feet of living space, which may include a living room, kitchen, bedroom and bathroom.
 - (5) All utility provisions, including sewage disposal and water supply that serve the accessory apartment for relatives shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or utilized. All such utility connections shall comply with the provisions of West Nantmeal Township and/or the public utility provider providing service.
 - (6) The applicant shall provide evidence to West Nantmeal Township that existing sewage disposal system and water supply system will have sufficient capacities to accommodate the principal building plus the accessory apartment for relatives. Where appropriate, West Nantmeal Township and the Chester County Health Department shall review the existing and proposed utility connection.
 - (7) The residential uses shall be serviced by public, private or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the West Nantmeal Township Sewage Facilities Plan as well as any ordinances adopted by West Nantmeal Township. All sewage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection.
 - (8) The residential uses shall be serviced by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by West Nantmeal Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of West Nantmeal Township and the Pennsylvania Department of Environmental Protection.
 - (9) All other utility provisions serving the residential uses shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
 - (10) The West Nantmeal Township Sewage Enforcement Officer, Zoning Officer and/or Building Code Official shall review the existing and proposed utility connection.
 - (11) In addition to the number of off-street parking spaces required to accommodate the principal use, a minimum of one (1) off-street parking space shall be required for the accessory apartment for relatives, which shall be designed with unrestricted access to the public street.
 - (12) The entrance and living area associated with the accessory apartment may either be designed with common areas to the principal use or physically separated from the principal use.
- (C) The conversion of the accessory apartment for relatives to a non-family rental unit shall be prohibited.

Section 615: Home Occupation Regulations

- (A) For the purposes of this Zoning Ordinance, the term “home occupation”, has been further defined and classified under two (2) separate categories for regulating home occupations as a use within West Nantmeal Township.
- (B) The provisions for a Category 1 Home Occupation are further defined and specified under Section 615.1 of this Zoning Ordinance.
- (C) The provisions for a Category 2 Home Occupation are further defined and specified under Section 615.2 of this Zoning Ordinance.

Section 615.1 Category 1 Home Occupation

- (A) Category 1 Home Occupations, as defined under Article 2 of this Zoning Ordinance shall be permitted by right within the R-1, R-2, R-3, C-1 and I-1 Zoning Districts.
- (B) Category 1 Home Occupations shall comply with the following requirements:
 - (1) The home occupation shall be conducted only within the dwelling or an approved accessory structure and may not occupy more than thirty (30) percent of the gross floor area of the residential dwelling or no more than 1,000 square feet of an accessory structure.
 - (2) The home occupation shall include only lawful uses, which shall be clearly secondary to the residential use and shall be compatible with surrounding residential uses.
 - (3) The home occupation shall employ no employees other than family members residing in the dwelling.
 - (4) There shall be no visual display or sale of retail goods.
 - (5) There shall be no stockpiling, storage or inventory of products of a substantial nature.
 - (6) There should be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
 - (7) The parking of motor vehicles relating to the Category 1 Home Occupation shall comply with the following requirements:
 - (a) For residential lots with less than one (1) acre, no motor vehicles exceeding a gross registered weight of 18,000 pounds shall be utilized to facilitate the Category 1 Home Occupation.
 - (b) For residential lots between one (1) and two (2) acres in gross lot area, no more than one (1) motor vehicle with a gross registered weight between 18,000 and 26,000 pounds shall be utilized to facilitate the Category 1 Home Occupation.
 - (c) For residential lots exceeding two (2) acres in gross lot area, no more than two (2) motor vehicles with a gross registered weight between 18,000 and 26,000 pounds shall be utilized to facilitate the Category 1 Home Occupation.
 - (8) The home occupation may not use any equipment or process, which creates noise, vibration, glare, fumes, odors, electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
 - (9) The home occupation may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

Section 615.2 Category 2 Home Occupation

- (A) Category 2 Home Occupations, as defined under Article 2 of this Zoning Ordinance shall be permitted as follows:
 - (1) By right within the R-1, R-2, R-3, C-1 and I-1 Zoning Districts.

- (2) Category 2 Home Occupations shall specifically not be permitted within the following residential developments: Townhouses (refer to Section 604); Apartments (refer to Section 605); R-3 Cluster Developments (refer to Section 608); and Manufactured Home Parks (refer to Section 612).

(B) Category 2 Home Occupations shall comply with the following requirements:

- (1) The home occupation shall be conducted only within the dwelling or an approved accessory structure and may not occupy more than forty (40) percent of the gross floor area of the residential dwelling or no more than 1,500 square feet of an accessory structure.
- (2) The home occupation shall include only lawful uses, which shall be clearly secondary to the residential use and shall be compatible with surrounding residential uses. The exterior appearance shall be maintained as a single-family detached residential use.
- (3) The home occupation shall be limited to the family members residing within the dwelling plus two (2) additional persons to provide support services and assistance.
- (4) There shall be no visual display or sale of retail goods.
- (5) There shall be no stockpiling, storage or inventory of products of a substantial nature.
- (6) The home occupation may not use any equipment or process, which creates noise, vibration, glare, fumes, odors, electrical or electronic interference, including interference with radio or television reception, which is detectable at the property lines.
- (7) No manufacturing, repairing or other mechanical work shall be performed in any open area. All such activities shall be conducted in such a manner that they are not detectable or noticeable at or beyond the property line. All such activities shall comply with the building code.
- (8) The capacities of the public sewage disposal system or on-lot sewage disposal system shall be evaluated in terms of their abilities to serve the residential use along with the home occupation. Where appropriate, the provisions for additional sewage disposal capacities should be reserved, designed, installed and connected to accommodate the projected demand.
- (9) The capacities of the public water supply system or on-lot well shall be evaluated in terms of their abilities to serve the residential use along with the home occupation. Where appropriate, the provisions for additional water supply capacities should be considered in order to provide a dependable supply of water without adversely affecting other uses.
- (10) The home occupation may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (11) No more than one (1) Category 2 Home Occupation shall be permitted per residential unit.
- (12) An off-street parking area shall be provided to meet the following requirements: two (2) parking spaces shall be provided for the residential use; one (1) parking space shall be provided for each employee not residing within the dwelling; and no more than two (2) parking spaces shall be provided for guests or patrons. The maximum number of off-street parking spaces shall be limited to six (6) parking spaces, which shall not include any garage spaces and shall be designed to comply with the appropriate provisions of Article 10 of this Zoning Ordinance.
- (13) The parking of motor vehicles relating to the Category 2 Home Occupation shall comply with the following requirements:
 - (a) For residential lots with less than one (1) acre, no motor vehicles exceeding a gross registered weight of 18,000 pounds shall be utilized to facilitate the Category 2 Home Occupation.

- (b) For residential lots between one (1) and two (2) acres in gross lot area, no more than one (1) motor vehicle with a gross registered weight between 18,000 and 26,000 pounds shall be utilized to facilitate the Category 2 Home Occupation.
 - (c) For residential lots exceeding two (2) acres in gross lot area, no more than two (2) motor vehicles with a gross registered weight between 18,000 and 26,000 pounds shall be utilized to facilitate the Category 2 Home Occupation.
 - (d) For residential lots exceeding four (4) acres in gross lot area, no more than two (2) motor vehicles exceeding a gross registered weight of 26,000 pounds shall be utilized to facilitate the Category 2 Home Occupation. All such vehicles shall be parked at least fifty (50) feet from the legal right-of-way line and all other property lines. The vehicles shall be screened from the view of adjacent residential properties.
- (14) A sign displaying the name and address of the home occupation may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed two (2) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.

Section 616: Mixed-Use Residential and Commercial Uses

- (A) Mixed-uses containing commercial and residential uses, as defined under Article 2 of this Zoning Ordinance, are permitted by right within the C-1 Zoning District.
- (B) Mixed-uses containing combined commercial and residential uses shall be designed in accordance with the following general design requirements:
 - (1) The mixed-uses shall be limited to commercial uses permitted by right within the C-1 Zoning District combined with residential apartment units.
 - (2) The first floor of the mixed-use structure shall be limited to commercial uses.
 - (3) The second floor of the mixed-use structure shall contain no more than two (2) residential rental units or apartment units.
 - (4) The commercial and residential uses within the mixed-use structure shall have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.
 - (5) The minimum net land area required to facilitate a mixed-use structure shall be one (1) net acre. The minimum and maximum dimensional requirements for mixed-use structures are further defined under the provisions of the C-1 Zoning District.
 - (6) The residential apartment units shall contain separate sanitary sewage disposal services, washing and bathing facilities, and a kitchen with cooking facilities to accommodate the tenants.
 - (7) Parking spaces shall be required to accommodate the commercial or principal use of the mixed-use structure and for each residential rental unit or apartment unit.